IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 348 OF 2006

CITY ASSOCIATION OF STALL OCCUPANTS THROUGH ITS SECRETARY SHRI GAJANAN P. AMONKAR, PANAJI GOA. ....Petitioner

Versus

GOVERNMENT OF GOA THROUGH ITS CHIEF SECRETARY AND ANR., ...Respondents

Mr. M.P. Amonkar and Pooja Kavlekar,Advocates for the Petitioner.
Mr. S. R. Rivonkar, Government Advocate for the Respondent No.1.
Mr. A. F. Diniz, Advocate for the Respondent No.2.

Coram:- DR. S. RADHAKRISHNAN & N. A. BRITTO, JJ.

Date:- 25th September, 2006

P.C.:-

Heard the learned Counsel for the petitioner, the learned Government Advocate for the respondent No.1 and the learned Counsel for the respondent no.2.

The main grievance of the petitioner is that the petitioner is seeking rehabilitation of 17 kiosks. Perused the affidavit-in-reply of respondent no.1 which makes it clear that the members of the petitioner have erected certain permanent constructions and had embedded their gaddas on them and were misusing to the detriment of the public interest. It appears that the members of the petitioner also were seeking a fixed spot continuously which is also not permissible. Specially, for the reasons stated in para 3 of the affidavit filed by respondent no.1, we are not inclined to entertain the above Petition, hence the same stands dismissed. However, it is made clear that the respondent may provide appropriate place to the members of the petitioner Association to have their kiosks of temporary nature. This shall be done within a period of eight weeks from today.

DR. S. RADHAKRISHNAN, J.

N. A. BRITTO, J.

RD.